

COPY

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

FILED

Attorneys for Plaintiffs DALAL ABEDRABO, STEPHEN CORONADO,
SHANTAL CORRAL, DAVID FLORES, BRIAN HICKS and ABDUL H.
KAKAR

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-SOUTHERN DIVISION

DALAL ABEDRABO, STEPHEN
CORONADO, SHANTAL CORRAL,
DAVID FLORES, BRIAN HICKS and
ABDUL H. KAKAR,

Plaintiff,

vs.

AT&T MOBILITY LLC, a Delaware
Limited Liability Company; AT&T
INC., a Delaware Corporation; AT&T
CORP., a New York Corporation;
AT&T MOBILITY WIRELESS
OPERATIONS HOLDINGS, INC., a
Delaware Corporation and DOES 1-10,

Defendants.

Case No. **SACV11-01388** **MLG**

**COMPLAINT FOR DAMAGES
AND DEMAND FOR TRIAL BY
JURY**

NATURE OF THE ACTION

1. Plaintiffs DALAL ABEDRABO, STEPHEN CORONADO,
SHANTAL CORRAL, DAVID FLORES, BRIAN HICKS and ABDUL H.
KAKAR are current and former employees of the Defendants who elect to opt into
this action pursuant to the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §§ 216(b),
that they are: (i) entitled to unpaid wages from defendants AT&T MOBILITY LLC

1 ("AT&T Mobility"), AT&T INC., AT&T CORP.(AT&T Mobility, AT&T Inc. and
 2 AT&T Corp. are collectively referred to herein as "AT&T" or the "Corporate
 3 Defendants") and DOES # 1-10 (the "Individual Defendants" and, collectively with
 4 AT&T, the "Defendants") for work performed for which they received no
 5 compensation at all; (ii) unpaid wages for overtime work for which they did not
 6 receive overtime premium pay, as required by law, and (iii) entitled to liquidated
 7 damages, costs and attorneys fees pursuant to the FLSA, 29 U.S.C. §§201 *et seq.*

8 **JURISDICTION, VENUE AND JOINDER**

9 2. This action arises under 29 U.S.C. §216(b), the Fair Labor Standards
 10 Act ("FLSA"). This Court has subject matter jurisdiction over this matter pursuant
 11 to 28 U.S.C. §§ 1331 and 1337. In addition, the Court has jurisdiction over
 12 Plaintiffs' claims under the FLSA pursuant to 29 U.S.C. § 216(b).

13 3. The Central District of California, Southern Division has personal
 14 jurisdiction over the parties in this matter. Plaintiffs DALAL ABEDRABO,
 15 STEPHEN CORONADO, SHANTAL CORRAL, DAVID FLORES, BRIAN
 16 HICKS and ABDUL H. KAKAR are, and at all relevant times were, citizens of the
 17 State of California. Defendants AT&T MOBILITY LLC, a Delaware Limited
 18 Liability Company; AT&T INC., a Delaware Corporation; AT&T CORP., a New
 19 York Corporation; AT&T MOBILITY WIRELESS OPERATIONS HOLDINGS,
 20 INC., a Delaware Corporation (collectively referred to as "AT&T" or
 21 "Defendants"), operate in California, including in Orange County, and are registered
 22 as business entities engaged in commerce within the State of California with the
 23 California Secretary of State. Defendants are qualified to do business in California,
 24 have directors, officers and employees who reside in California, and have contracted
 25 with individuals in California for marketing, production, sales, distribution, and
 26 servicing of their wireless and mobile phone products. Defendants have mailing
 27 addresses at their retail stores throughout California, including stores in Orange
 28 County, which have employed Plaintiffs DALAL ABEDRABO, STEPHEN

1 CORONADO, DAVID FLORES, BRIAN HICKS and ABDUL H. KAKAR.
2 Plaintiffs SHANTAL CORRAL and STEPHEN CORONADO worked for
3 Defendants in the State of California at all relevant times herein. Additionally,
4 Defendants have marketed their mobile phone and wireless services to California
5 customers at retail stores throughout the state. The acts and omissions which are
6 outlined in this Complaint, took place within the state of California.

7 4. Venue is proper in this district as Defendants have sufficient contacts
8 with the State of California and the County of Orange sufficient to subject them to
9 personal jurisdiction in this district pursuant to 28 U.S.C. §1391(c).

10 5. This Court is empowered to issue a declaratory judgment pursuant to
11 28 U.S.C. §§ 2201 and 2202.

12 6. Joinder of all Plaintiffs in a single action is proper pursuant to Federal
13 Rule of Civil Procedure 20(a)(1)(A) and (B).

14 **THE PARTIES**

15 7. Plaintiff DALAL ABEDRABO (“Abedrabo”) was, at all relevant
16 times, an adult individual, residing in Anaheim, California, County of Orange,
17 which is located within the jurisdiction of the Central District of California,
18 Southern Division. Abedrabo was an employee, as defined by 29 U.S.C. §203(e) of
19 Defendants. Abedrabo is a former Sales Representative employee of Defendants
20 and regularly worked more than 40 hours per week for which he believes he was not
21 paid overtime wages.

22 8. Plaintiff STEPHEN CORONADO (“Coronado”) was, at all relevant
23 times, an adult individual, residing in California, County of Orange, which is located
24 within the jurisdiction of the Central District of California, Southern Division.
25 Currently Coronado is a resident of Sevierville, Tennessee. Coronado was an
26 employee, as defined by 29 U.S.C. §203(e) of Defendants. Coronado is a former
27 Retail Sales employee of Defendants and regularly worked more than 40 hours per
28 week for which he believes he was not paid overtime wages.

1 9. Plaintiff DAVID FLORES ("Flores") was, at all relevant times, an
2 adult individual, residing in Anaheim, California, County of Orange, which is
3 located within the jurisdiction of the Central District of California, Southern
4 Division. Flores was an employee, as defined by 29 U.S.C. §203(e) of Defendants.
5 Flores is a former Sales Representative employee of Defendants and regularly
6 worked more than 40 hours per week for which he believes he was not paid
7 overtime wages.

8 10. Plaintiff BRIAN HICKS ("Hicks") was, at all relevant times, an adult
9 individual, residing in Yorba Linda, California, County of Orange, which is located
10 within the jurisdiction of the Central District of California, Southern Division.
11 Hicks was an employee, as defined by 29 U.S.C. §203(e) of Defendants. Hicks is a
12 former Sales Representative employee of Defendants and regularly worked more
13 than 40 hours per week for which he believes he was not paid overtime wages.

14 11. Plaintiff ADBUL H. KAKAR ("Kakar") was, at all relevant times, an
15 adult individual, residing in Lake Forest, California, County of Orange, which is
16 located within the jurisdiction of the Central District of California, Southern
17 Division. Kakar was an employee, as defined by 29 U.S.C. §203(e) of Defendants.
18 Kakar is a former Retail Sales Cons employee of Defendants and regularly worked
19 more than 40 hours per week for which he believes he was not paid overtime wages.

20 12. Plaintiff SHANTAL CORRAL ("Corral") was, at all relevant times, an
21 adult individual, residing in San Leandro, California. Corral was an employee, as
22 defined by 29 U.S.C. §203(e) of Defendants. Corral is a former Retail Sales Cons
23 employee of Defendants and regularly worked more than 40 hours per week for
24 which she believes she was not paid overtime wages.

25 13. Upon information and belief, Defendant AT&T Mobility is a foreign
26 corporation authorized to do business within the State of New York with operating
27 facilities in this district and throughout the United States.

28 14. Upon information and belief, Defendant AT&T Inc. is a foreign

1 corporation doing business within this district and throughout the United States.

2 15. Upon information and belief, Defendant AT&T Corp. is a New York
3 corporation authorized to do business within the State of New York with operating
4 facilities within this district and throughout the United States.

5 16. Upon information and belief, Does #1-10 represent the officers,
6 directors and/or managing agents of the Corporate Defendants, whose identities are
7 unknown at this time and who participated in the day-to-day operations of the
8 Corporate Defendants and acted intentionally and maliciously and are "employers"
9 pursuant to the FLSA, 29 U.S.C. §203(d) and regulations promulgated thereunder,
10 29 C.F.R. §791.2, as well as the New York Labor Law Sec. 2 and the regulations
11 thereunder and are jointly and severally liable with the Corporate Defendants.

12 **STATEMENT OF FACTS**

13 17. Defendant AT&T Mobility LLC ("AT&T Mobility") is the wholly
14 owned wireless subsidiary of Defendant AT&T Inc. and is the successor to
15 Cingular. AT&T Mobility is the largest mobile phone company in the country, if not
16 the world, with approximately 74.9 million U.S. subscribers. AT&T Mobility owns
17 and/or operates approximately 1,800 wireless stores in more than 1,100 cities across
18 the U.S., most all of which have at least one if not more assistant managers along
19 with other nonexempt employees who are required to work over forty hours per
20 week for which they are not paid overtime compensation as required by the FLSA.

21 18. Plaintiffs were employed by AT&T in various sales positions in AT&T
22 stores in the County of Orange and throughout California. Throughout the relevant
23 time period, Plaintiffs were provided with an AT&T Blackberry and/or wireless
24 telephone and were required to review and respond to AT&T work related emails
25 and text messages at all hours of the day, whether or not they were punched into
26 AT&T's computer-based timecard system. Plaintiffs were also required to take and
27 place telephone calls to other AT&T personnel and customers relating to store
28 staffing, sales, discounting of merchandise, customer satisfaction concerns and other

1 AT&T business concerns. Plaintiffs were required to participate on frequent
2 conference calls which were held outside of her normally scheduled business hours
3 (during which they were not "punched-in" to the AT&T timesheet program) and
4 they were often required to work while they were "punched out" for lunch and to
5 perform other work for AT&T outside their normal forty (40) hour work week, for
6 which they were not paid any compensation.

7 19. In addition to requiring plaintiffs to review and respond to emails and
8 texts, to take and place telephone calls and to participate on conference calls,
9 plaintiffs were also required to review voluminous corporate and product
10 information and to prepare for special events, such as the launch of each generation
11 of the iPhone and to perform general work for Defendants. Plaintiffs were required
12 to perform much of this work outside of their normally-scheduled work hours and
13 they received no compensation for the hours that they worked for Defendants over
14 forty-hours per week.

15 20. While Plaintiffs were classified as a non-exempt hourly employees,
16 they were typically required to spend 10-15 hours per week reviewing and
17 responding to email, texts, phone calls, participating on conference calls,
18 studying/reviewing product information and corporate policies and performing other
19 work for Defendants for which they were not paid any compensation.

20 21. Throughout the relevant time period, Plaintiffs were required to
21 respond to emails, texts, phone calls, participate on conference calls and to review
22 AT&T materials on their days off of work and at times that they were not "punched
23 in" to the AT&T timesheet program. Because they were not punched into the
24 timesheet program, Plaintiffs did not receive regular wages or overtime
25 compensation for work performed.

26 22. Plaintiffs were informed by Defendants' management employees that
27 they had to accept working the extra hours as this was a part of AT&T's standard
28 business practices and that they were not allowed to put in for overtime for such

1 work performed outside of regularly scheduled business hours.

2 23. Throughout the relevant period, Plaintiffs frequently were required to
3 pick up lunch and immediately return to the AT&T store and continued to work
4 throughout their "lunch break," notwithstanding the fact that Defendants required
5 them and/or their managers to record a 30 minute "lunch period" on their time
6 records, resulting in Plaintiffs not being paid for time worked during lunch breaks.

7 24. Plaintiffs were required to work for Defendants well in excess of forty
8 (40) hours per week, frequently requiring Plaintiffs to work from ten to twenty (10-
9 20) hours of overtime per week without any additional regular or overtime
10 compensation.

11 25. Plaintiffs' work was performed in the normal course of the Defendants'
12 business and was integrated into the business of Defendants. The work performed
13 by Plaintiffs required little skill and no capital investment.

14 26. Plaintiffs did not supervise other employees and their job duties did not
15 include managerial responsibilities or the exercise of independent business
16 judgment.

17 27. Plaintiffs often worked in excess of 40 hours a week, yet the
18 Defendants willfully failed to pay Plaintiff's compensation for hours worked in
19 excess of forty hours per week, including overtime compensation of one and one-
20 half times her regular hourly rate in violation of the FLSA.

21 28. Throughout all relevant time periods, upon information and belief, and
22 during the course of Plaintiffs' own employment, while Defendants employed
23 Plaintiffs, the Defendants failed to maintain accurate and sufficient time records to
24 reflect all of the hours that Plaintiffs worked.

25 **FIRST CAUSE OF ACTION**

26 **(FAIR LABOR STANDARDS ACT, 29 U.S.C. §201, et seq.)**

27 29. Plaintiffs, collectively and individually, hereby re-allege and
28 incorporate by reference paragraphs 1-27 as though fully set forth herein.

1 30. At all relevant times Defendants have been and continue to be an
2 employer engaged in interstate commerce and/or the production of goods for
3 commerce, within the meaning of the FLSA, 29 U.S.C. §§ 206(a) and 207(a).

4 31. At all relevant times, Defendants employed, and/or continues to
5 employ, Plaintiffs within the meaning of the FLSA.

6 32. Upon information and belief, at all relevant times, the Corporate
7 Defendants have had gross revenues well in excess of \$500,000.00.

8 33. The FLSA requires each covered employer, such as Defendants, to
9 compensate all non-exempt employees at a rate of not less than one and one-half
10 times the regular rate of pay for all work performed in excess of forth (40) hours per
11 week.

12 34. At all relevant times, the Defendants had a policy and practice of
13 refusing to pay wages for all hours worked as well as overtime compensation to its
14 employees for their hours worked in excess of forty hours per workweek.

15 35. Plaintiffs are entitled to be paid overtime compensation for all overtime
16 hours worked.

17 36. As a result of the Defendants' willful failure to compensate its
18 employees, including Plaintiffs, at a rate not less than one and one-half times the
19 regular rate of pay for work performed in excess of forty hours in a workweek, the
20 Defendants have violated, and continue to violate, the FLSA, 29 U.S.C. §§ 201 *el*
21 *seq.*, including 29 U.S.C. §§ 207(a)(1) and 215(a).

22 37. As a result of the Defendants' failure to record, report, credit and/or
23 compensate its employees, including Plaintiffs, Defendants have failed to make,
24 keep and preserve records with respect to each of its employees sufficient to
25 determine the wages, hours and other conditions and practices of employment in
26 violation of the FLSA, 29 U.S.C. §§ 201, *el seq.*, including 29 U.S.C. §§ 211(c) and
27 215(a).

28 38. The foregoing conduct, as alleged, constitutes a willful violation of the

1 FLSA within the meaning of 29 U.S.C. § 255(a).

2 39. Due to Defendants' FLSA violations, Plaintiff, on behalf of herself and
3 the Collective Action members, are entitled to recover from Defendants their unpaid
4 wages and overtime compensation, an additional amount equal as liquidated
5 damages, additional liquidated damages for unreasonably delayed payment of
6 wages, reasonable attorneys' fees and costs and disbursements of this action,
7 pursuant to 29 U.S.C. § 216(b).

8 **PRAYER FOR RELIEF**

9 40. Wherefore, Plaintiffs, individually, respectfully request that this Court
10 grant the following relief:

- 11 a. An order tolling the statute of limitations;
- 12 b. A declaratory judgment that the practices complained of herein are
- 13 unlawful under the FLSA;
- 14 c. Appropriate equitable and injunctive relief to remedy Defendants'
- 15 violations of federal law, including but not necessarily limited to an
- 16 order enjoining Defendants from continuing their unlawful practices;
- 17 d. An award of unpaid minimum wages, wages for all hours worked and
- 18 overtime compensation due under the FLSA;
- 19 e. An award of liquidated and/or punitive damages as a result of the
- 20 Defendants' willful failure to pay for all hours worked as well as
- 21 overtime compensation pursuant to 29 U.S.C. § 216;
- 22 f. An award of prejudgment and post-judgment interest;

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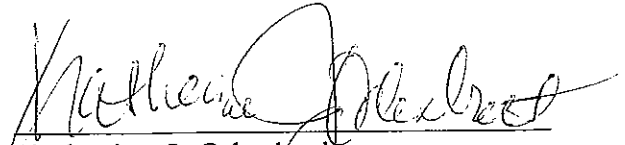
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- 1 g. An award of costs and expenses of this action together with reasonable
2 attorneys' fees under all applicable statutes, and;
3 h. Such other and further relief as this Court deems just and proper.
4

5 DATED: September 9, 2011



6 Katherine J. Odenbreit

7 kodenbreit@bpolawyers.com

8 Barge, Petersen & Odenbreit LLP

9 18301 Von Karman Avenue, Suite 330

10 Irvine, CA 92612

11 Attorneys for Plaintiffs DALAL

12 ABEDRABO, STEPHEN CORONADO,

13 SHANTAL CORRAL, DAVID FLORES,

14 BRIAN HICKS and ABDUL H. KAKAR
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DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury on all questions of fact raised by the complaint.

Dated: September 9, 2011

Respectfully submitted,



Katherine J. Odenbreit

kodenbreit@bpolawyers.com

Barge, Petersen & Odenbreit LLP

18301 Von Karman Avenue, Suite 330

Irvine, CA 92612

Attorneys for Plaintiffs DALAL

ABEDRABO, STEPHEN CORONADO,

SHANTAL CORRAL, DAVID FLORES,

BRIAN HICKS and ABDUL H. KAKAR

Name & Address: Rene L. Barge-SBN 182317
 Gregory G. Petersen-SBN 77744
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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

DALAL ABEDRABO, STEPHEN CORONADO,
 SHANTAL CORRAL, DAVID FLORES, BRIAN
 HICKS and ABDUL H. KAKAR,

PLAINTIFF(S)

v.

AT&T MOBILITY LLC, a Delaware Limited Liability
 Company; AT&T, INC., a Delaware Corporation; AT&T
 CORP., a New York Corporation; AT&T MOBILITY
 WIRELESS OPERATIONS HOLDINGS, INC., a
 Delaware Corporation and DOES 1-10, DEFENDANT(S).

CASE NUMBER

SACV11-01388 MLG

SUMMONS

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Katherine J. Odenbreit, whose address is 18301 Von Karman Avenue, Suite 330, Irvine, California 92612. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SEP 12 2011

Dated: _____

Clerk, U.S. District Court

ROLLS ROYCE PASCHAL

By: _____

Deputy Clerk

(Seal of the Court)



1144

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

COPY

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself ☐)
DALAL ABEDRABO, STEPHEN CORONADO, SHANTAL CORRAL,
DAVID FLORES, BRIAN HICKS and ABDUL H. KAKAR

DEFENDANTS
AT&T MOBILITY LLC, et al.

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

BARGE, PETERSEN & ODENBREIT LLP
18301 Von Karman Avenue, Suite 330
Irvine, California 92612 (949) 335-3500

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No

☐ **MONEY DEMANDED IN COMPLAINT:** \$

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Fair Labor Standards Act, 29 U.S.C. Section 201, et seq.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL PROPERTY	PETITIONS	<input checked="" type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General Habeas Corpus	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	FORFEITURE / PENALTY	PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	SOCIAL SECURITY
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	REAL PROPERTY	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	IMMIGRATION	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee			<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 465 Other Immigration Actions			FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: SACV11-01388 MLG

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or

☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or

☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or

☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange	Sevier, Tennessee; Alameda, California

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Delaware, New York

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Maureen Obedt

Date

9/9/2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))